

REMARKS

Applicants thank the Examiner for the detailed Office Action dated September 21, 2004. Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Claims 19-29 and 37-41 were pending in the application.

Claims 37-41 are requested to be cancelled without prejudice or disclaimer.

Claims 42-56 are being added.

After amending the claims as set forth above, claims 19-29 and 42-56 are now pending in this application.

Interview Summary

Applicants thank the Examiner for the telephone interview initiated by the Examiner on September 17, 2004. During the interview, claims 37-41 were discussed in light of U.S. Patent No. 4,426,923. An agreement was reached that claims 37-41 would be allowable if claim 37 was amended to recite that the air stream passes through the baffle.

Claim Rejections – 35 U.S.C. § 102

On page 2 of the Office Action, claims 37, 38, 40 and 41 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 4,835,351 (“Smith et al.”). Also on page 2 of the Office Action, claim 39 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,835,351 (“Smith et al.”) in view of U.S. Patent Application Publication No. 2002/0005686 (“Nuttal et al.”). Applicants have canceled claims 37-41 without prejudice to further prosecution on the merits. By canceling the claims rejected in the Office Action, Applicants intend to obtain timely issuance of a patent containing claims reciting subject matter the Examiner has indicated is allowable. Applicants wish to make it clear that they do not agree to acquiesce in the rejection of claims 37-41 and/or agree with the Examiner’s view of the scope and content of Smith et al. and/or Nuttal et al.

Allowable Subject Matter

On page 2 of the Office Action, the Examiner indicated that claims 19-29 are allowed. Applicants have added new claims 42-49 which depend from independent claim 19 and new claims 50-56 which depend from independent claim 24. Applicants submit that these claims are allowable for at least the same reasons that independent claims 19 and 24 are allowable.

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection has been overcome, and the present Application is in a condition for allowance. The Applicants request reconsideration and allowance of pending claims.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date October 25, 2004

By Scott C. Nielson

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5718
Facsimile: (414) 297-4900

Scott C. Nielson
Attorney for Applicant
Registration No. 50,755